



WEB COPY



CMP.No.987 of 2022

in

CMSA No.23 of 2018

C.V.KARTHIKEYAN, J.

Heard Mr.R.Marudhachalamurthy, learned counsel who had earlier appeared on behalf of the respondent.

2.This Court places its appreciation on Mr.R.Marudhachalamurthy, learned counsel, who appeared even though the name was not printed in the cause list and the name of the respondent alone was printed in the cause list. It appears that CMSA No.23 of 2018 had come up for consideration on 23.02.2021 and a learned Single Judge of this Court had noted that there was no appearance on behalf of the appellant and had dismissed the same for non-prosecution.

3.The matter arises from proceedings under the Hindu Marriage Act, and it is only obvious that the Court should bestow its attention to ensure that any frustration of marriage is done after hearing both the parties.

4.In the reasons stated for non-appearance of the counsel it had been stated in the affidavit filed in support of the petition that in August 2020, the Advocate one Mr.Prabu had tested Covid-19 positive and was



WEB COPY



C.V.KARTHIKEYAN, J.

smv
under self-quarantine. He had not recovered due to his other health issues till January 2021. He was again tested positive for three times consecutively and his family members also tested positive and he had to go over to his native village, Dharapuram.

5.Taking into consideration that Covid-19 Pandemic, had struck across the Country, this reason is acceptable and I would restore the CMSA No.23 of 2018 back on file. Therefore, the Civil Miscellaneous Petition is allowed.

29.03.2022

smv

1/2

CMP.No.987 of 2022
in
CMSA No.23 of 2018